

Most of suit by spy's widow thrown out

By SHERIDAN LYONS

A federal judge yesterday threw out most of a civil suit by the widow of an American spy who was found electrocuted in a Fort Meade motel room in April 1978.

Ilse Sigler, of El Paso, Texas, claimed in the lawsuit that Army and Central Intelligence Agency officials either killed her husband, Chief Warrant Officer Ralph J. Sigler, or drove him to suicide because he was assembling memoirs of his career as a counterintelligence agent since his enlistment in the Army in 1947.

His duties, Mrs. Sigler said, included selling false information about American radar and missile systems to intelligence agents of various foreign powers, thereby identifying foreign spies.

On April 4, 1978, he arrived at Fort Meade after being summoned by government officials. There, according to his wife, he was subjected to severe interrogation. On April 13, he was found dead with electrical wiring wrapped around his arms that had been cut from

a lamp in the room and stripped of its insulation.

She cited a letter, dated three days before Mr. Sigler's death, in which he told her: "Should anything happen to me, suicide, death or accident, sue the US Army . . ." and naming specific persons to be sued.

Mrs. Sigler did so, seeking damages totaling more than \$100 million on various claims for violations of her husband's rights, for return of his papers and for injuries to her and her daughter. She said that officials feared her husband might write from memory after they illegally seized his papers.

Chief Judge Edward S. Northrop, however, granted government motions to dismiss the claims on behalf of Mr. Sigler, citing the broad doctrine of government immunity for injuries to members of the military. He cited cases dealing with secret use of LSD, allegations of brutality, a forced march into a nuclear explosion and others to demonstrate the scope of that military immunity.

While the courts have recognized the

"unconscionable results" that the doctrine may cause, the judge said, the facts of a case do not affect it.

The doctrine, however, does not apply to the claims of violations of the constitutional rights of Mrs. Sigler and her daughter, he said, and gave the defendants another 30 days to file other defenses to those claims.

The judge also rejected the demand for the return of Mr. Sigler's papers, after reviewing a classified affidavit to support the government's claim of a state-secrets privilege.

Clifford Alexander, secretary of the Army, said in an affidavit filed with the motion to dismiss that the papers "explain in great detail, day-by-day, many of the intelligence activities that Mr. Sigler undertook on behalf of the Army . . . nearly everything he knew or could glean about the foreign intelligence services."

The lawsuit originally was filed in El Paso, but was transferred to Maryland when the Texas judge said the case must be tried where the death occurred.